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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DAVID J. CARPENTER.

Petitioner,

V.

**RON DAVIS, Warden of the California  
State Prison at San Quentin,**

## Respondent.

## CAPITAL CASE

3:00-cv-03706-MMC

## **BRIEFING SCHEDULE STIPULATION AND [PROPOSED] ORDER**

The Honorable Maxine M. Chesney  
United States District Judge

Counsel for Petitioner and Respondent have conferred regarding the briefing schedule for Respondent’s motion for reconsideration regarding *Johnson v. Lee*, 136 S. Ct. 1802 (2016) (per curiam), as directed by this Court’s June 27, 2016 Order (Dkt. 190). We have agreed upon the following:

1. Respondent will file a motion for reconsideration no later than October 19, 2016.
2. Petitioner will file a response within thirty (30) days of the filing date of Respondent's motion.

3. Respondent will file a reply within thirty (30) days of the filing date of Petitioner's response.

Respectfully submitted,

Dated: September 20, 2016

KAMALA D. HARRIS  
Attorney General of California

/s/ Stephanie C. Brenan

STEPHANIE C. BRENAN  
Supervising Deputy Attorney General  
*Attorneys for Respondent*

Dated: September 20, 2016

/s/ Michael M. Crain

MICHAEL M. CRAIN  
*Attorney for Petitioner*  
[consent to sign obtained September 20, 2016]

Dated: September 20, 2016

/s/ Robert D. Bacon

*ROBERT D. BACON  
Attorney for Petitioner  
[consent to sign obtained September 20, 2016]*

## ORDER

Good cause appearing, IT IS ORDERED that the schedule set out in this stipulation is approved.

Dated: October 3, 2016

MARYNE M. CHESNEY

**MAXINE M. CHESNEY**  
United States District Judge

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